

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DEUTSCHE BANK TRUST COMPANY :
AMERICAS, in its capacity as successor :
indenture trustee for certain series of Senior :
Notes, *et al.*, :
: Plaintiffs, : C.A. No. 11-618-GMS
v. :
: SOWOOD ALPHA FUND LP, *et al.*, :
: Defendants. :

DEFENDANT PROSPECTOR SUMMIT FUND LP'S RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable judges and magistrate judges of the Court to evaluate possible disqualification and recusal, the undersigned attorneys of record for Defendant Prospector Summit Fund LP (“Prospector Summit”) certify that Prospector Summit has no parent, subsidiary or affiliate corporations, and no publicly-held corporation holds 10% or more of and Prospector Summit’s interests.

PROCTOR HEYMAN LLP

/s/ Vernon R. Proctor
Vernon R. Proctor (# 1019)
E-mail: vproctor@proctorheyman.com
Kurt M. Heyman (# 3054)
E-mail: kheyman@proctorheyman.com
Patricia L. Enerio (# 3728)
E-mail: penerio@proctorheyman.com
Dominick T. Gattuso (# 3630)
E-mail: dgattuso@proctorheyman.com
300 Delaware Avenue, Suite 200
Wilmington, DE 19801
(302) 472-7300

Dated: October 17, 2011

Attorneys for Defendant Prospector
Summit Fund LP